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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/198,004	11/23/98	CARVER	E 116310.014

IM22/0424

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EXAMINER

ALEXANDER, L

ART UNIT	PAPER NUMBER
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1743

14

DATE MAILED: 04/24/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/198,004**

Applicant(s)  
**Carver et al.**

Examiner  
**Lyle A. Alexander**

Group Art Unit  
**1743**



☒ Responsive to communication(s) filed on Feb 8, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1, 3-6, 31, and 33-44 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1, 3-6, 31, and 33-44 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☐ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 12

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

***Claim Rejections - 35 USC § 102***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1,3-6,31 and 33-44 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Tsuji et al. Surjaatmadja et al., Sainz et al. Or Kuroda.

The cited prior art teaches methods and apparatus for analysis of reagent mixtures with a plurality of pumping means forming a plurality of sample streams.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1,3-6,31 and 33-44 have been considered but are moot in view of the new ground(s) of rejection.

With respect to the cited non-USP references, the parent file is not readily available and these references could not be reviewed. If Applicants would provide copies of these references they will be considered in the next Office Action. Otherwise, the Office will consider these references when the parent file becomes available.

Any inquiry concerning this communication should be directed to Lyle A. Alexander at telephone number (703) 308-3893.



**LYLE A. ALEXANDER  
PRIMARY EXAMINER**